

order to satisfy the how-to-use requirement of § 112 would delay disclosure and frustrate, rather than further, the interests of the public.” *Id.* at 433. Applicant notes that varying standards of enablement should not be applied to different fields of invention. In *In re Chilowsky*, 229 F.2d 457, 463 (C.C.P.A. 1956), the court held that while “[t]he character and amount of evidence needed may vary, ... the degree of certainty as to the ultimate fact of operativeness or inoperativeness should be the same in all cases.” *Id.* at 462.

Thus, for all of these reasons, Applicants respectfully submit that the rejection of the claims under 35 U.S.C. §112, first paragraph, should be withdrawn.

CONCLUSIONS

In view of the above arguments, Applicants respectfully submit that all grounds of rejection under 35 U.S.C. §101 and §112 have been overcome. Reconsideration and withdrawal of the rejections are therefore respectfully requested.

The Examiner is respectfully requested to withdraw the rejections and allow Claims 73, 74, 81, and 88-96. In any event, the Examiner is respectfully requested to enter the above amendments for purposes of further prosecution. The amendments were not made earlier because applicant earnestly believes that the specification is enabling for the breadth of the claims as originally drafted, or the amendments were made pursuant to suggestions made by the Examiner.

Applicants believe that the present application is now in a condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. The Applicants note that upon an indication of allowability, the Applicants may choose to rewrite claims with Markush groups into separate and independent claims.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of


In re: Glucksmann, *et al.*
Appl. No. 09/464,685
Filed: December 16, 1999
Page 14 of 14

this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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<p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. _____ on the date shown below.</p> <p>(Type or print name of person signing certification.)</p> <p>_____ Signature</p> <p>_____ Date</p>	<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX AF, Commissioner For Patents, Washington, DC 20231, on April 25, 2001.</p> <p> _____ Pamela Lockley</p>